



**TRIVELLA & FORTE, LLP**  
ATTORNEYS AT LAW

1311 MAMARONECK AVENUE  
SUITE 170  
WHITE PLAINS, NEW YORK 10605  
(914) 949-9075  
FACSIMILE (914) 949-4752

MEMO ENDORSED

5/23/16

Extension  
granted  
Colleen McMahon

May 23, 2016

**VIA ECF:**

Hon. Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: Gesualdi, et al v. Navillus Tile, Inc., d/b/a Navillus Contracting, et al.**  
**Case No. 15-cv-08441- (CM)(JLC)**

Dear Judge McMahon:

This office is counsel to the Plaintiffs, the Trustees of the Local 282 Trust Funds in the above referenced matter. We write to request a forty five day extension of time from May 31, 2016 until July 15, 2016 to submit initial expert reports. This is the first request by the Local 282 Funds for an extension of time to serve expert reports on damages. Defendants consent to this request provided that their deadline to submit a counter report is extended forty five days until August 29, 2016. We note that the deadline to serve expert reports in the related action for which the parties have been handling discovery together has been extended to June 15, 2016 and the deadline for counter reports has been extended until July 29, 2016. See 14-cv-8326 at Docket No. 186.

All parties promptly served discovery demands in accordance with the discovery schedule set forth by the Court. Due to the scope of the requests both parties produced documents on Friday May 13, 2016. Our office needs time to cull through the documents in order to provide necessary information to our expert. The expert has indicated that due to his current work schedule and the amount of the documents at issue he needs additional time to submit a complete report. Further, given the responses received the Plaintiffs are in the process of meeting and conferring with Defendants' counsel within the next day or two which may result in the production of additional documents by Plaintiffs and Defendants.

For the forgoing reasons the Plaintiffs respectfully request that the Court adopt the following modified schedule for expert reports: Plaintiffs report due on or before **July 15, 2016** and Defendants counter report due on or before **August 29, 2016**.